



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

FEB 16 2000

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 11970
(SECOND REVISION)

EXPIRATION DATE: January 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: ExxonMobil Chemical Company
(formerly Exxon Chemical, Inc.)
Houston, Texas

(See Appendix A to this document for a list of additional grantees)
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain pyrophoric solids in a non-DOT specification portable tank comparable to a specification DOT 51 portable tank. This exemption provides no relief from any regulation other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.242 in that a non-DOT specification portable tank is authorized; § 178.245-1(c) in that all openings are not grouped in one location; and § 178.245-1(d)(4) in that the tank is not in a full framework for containerization and to allow a bottom discharge opening with no internal stop-valve.
5. BASIS: This exemption is based on the application of ExxonMobil Chemical Company (formerly Exxon Chemical, Inc.) dated January 28, 2000 submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Pyrophoric solid, inorganic, n.o.s.	4.2	UN3200	I

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging is a non-DOT specification steel portable tank conforming to the configuration and dimensions shown in Buckeye Boiler Drawing No. 83-0110 Rev. 3 dated February 1994, on file with the Office of Hazardous Materials Exemptions and Approvals. The portable tank has:

- a minimum wall thickness of 6.35 mm;
- maximum allowable working pressure of 110 psig;
- capacity not to exceed 2047 liters (540 gallons);
- tare mass of 1360 kgs;
- cone-shaped funnel bottom with a ball valve;
- maximum loading or discharge pressure of 75 psig; and
- spring loaded pressure relief valve set at 110 psig.

In addition, the portable tank must conform with specification DOT 51 (§ 178.245), except as follows:

(1) § 178.245-1(c). The tank has a bottom discharge fitted with a ball valve in addition to opening on the top of the tank.

(2) § 178.245-1(d)(4). The portable tank is not mounted in a full framework for containerized transport and the bottom discharge is not fitted with an internal self-closing stop-valve.

(3) § 178.245-7(a). The line on the name plate which reads "DOT specification No." must be marked "DOT-E 11970".

b. TESTING - Each portable tank must be tested and retested and reinspected as required for a DOT 51 portable tank. The minimum test pressure is 165 psig.

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c. OPERATIONAL CONTROLS -

- (1) The 1" bottom ball valve must be plugged and protected from side impact during transportation.
- (2) A dry nitrogen blanket of 22 psig must be provided for transportation of pyrophoric solid material.

8. SPECIAL PROVISIONS:

- a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.
- b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.
- c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

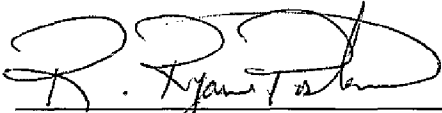
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:



for Robert A. McGuire
Acting Associate Administrator
for Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

Dist: FHWA, USCG
PO: AM(00)

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Univation Technologies, LLC Houston, TX	1/28/2000	FEB 16 2000	1/31/2002



For Robert A. McGuire
Acting Associate Administrator for
Hazardous Materials Safety